

REMARKS

Claims 1-2, 4-6, 9, 14-18 and 21 were examined by the Office, and in the final Office Action of January 21, 2010 all claims are rejected. With this response claims 1, 9, 14 and 21 are amended. All amendments are fully supported by the specification as originally filed. Support for the amendments can be found at least from page 4, lines 4-9 of the specification. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

This response is submitted along with a Request for Continued Examination (RCE).

Claim Rejections Under § 103

In section 6, on page 3 of the Office Action, claims 1-2, 4-6, 9, 14-18 and 21 are rejected under 35 U.S.C. § 103(a) as unpatentable over Theimer et al. (U.S. Patent No. 5,493,692) in view of Skladman et al. (U.S. Patent No. 7,181,495), and in further view of Nale (U.S. Appl. Publ. No. 2003/0074411). Applicant respectfully submits that claim 1 as amended is not disclosed or suggested by the cited references, either alone or in combination. Claim 1 recites storing at least one filtered push type e-mail of the received push type e-mail in the mobile terminal device in a manner not visible to said selected user profile when the at least one filtered push type e-mail does not pass the filter characteristics of the selected user profile. Applicant respectfully submits that at least this limitation is not disclosed or suggested by the cited references. Furthermore, applicant respectfully submits that the limitation of controlling at the mobile terminal device the handling of push type e-mails according to the selected user profile comprising enabling or disabling push type e-mail by activating or deactivating a hardware or software component required to receive push type e-mails in the mobile terminal device is also not disclosed or suggested by the cited references.

Claim 1 recites that when at least one filtered push type e-mail does not pass the filter characteristics of the selected user profile, the filtered push type e-mail is stored in the mobile terminal device in a manner that is not visible to the currently selected user profile. Furthermore, claim 1 is amended to clarify that the filtered push type e-mail is an email that has been received by the mobile terminal device. In contrast to claim 1,

Theimer discloses evaluating a message and determining a display property which indicates how the message should be delivered, if at all. See Theimer column 25, lines 27-29. The Office acknowledges that Theimer fails to disclose that e-mail that is not visible to the selected user profile is stored on the mobile terminal device while it is not visible to the current user profile, i.e. does not pass the filter characteristics of the selected user profile. However, the Office asserts on page 6 of the Office Action that it would have been obvious to modify the teachings of Theimer by storing the mail at a client device prior to display, since the Office asserts that this would be a simple design choice of where to store the mail prior to displaying the mail. However, this modification is contrary to the teachings of Theimer, and therefore would not be an obvious modification for one of skill in the art.

As stated above, Theimer evaluates a message based on the context of the recipient and the priority of the message, and may determine a display property which indicates how a message should be delivered, if at all. See Theimer column 25, lines 27-30. Therefore, in contrast to claim 1, Theimer determines whether or not a message should be delivered, not whether a message should be displayed after it is delivered, as recited in claim 1. It is not an obvious modification of Theimer to store the messages at the client device, because Theimer may make use of multiple display devices for delivery of messages depending upon the context of the user. For example, more than one display device may be available if the intended recipient has access to both a workstation and a Tab, and in that case the message is delivered to the most appropriate device. See Theimer column 25, lines 32-35. Therefore, if Theimer were modified as suggested by the Office messages would be delivered and stored on display devices that a user may not always have access to. This would be an unsuitable modification of Theimer, and one of ordinary skill in the art would find no motivation to make such a modification. Therefore, for at least this reason, claim 1 is not disclosed or suggested by the cited references.

Furthermore, on page 7 of the Office Action the Office relies upon Nale to disclose disabling push type e-mail by deactivating a software component required to receive push type e-mail in the mobile terminal device. However, in contrast to claim 1 Nale only discloses holding mail received in a Database (608), and the Database is not

a component in the mobile terminal device that receives the messages as received in claim 1. Instead, the Database (608) is located at a central office that receives regular mail, and scans the mail into electronic form which may then be emailed to users. The holding of mail while a user is on vacation does not correspond to the deactivating of a software component in the mobile terminal device, because the holding occurs at the central office and not with the user who will ultimately receive the forwarded electronic mail. Therefore, Nale also fails to disclose or suggest all of the limitations recited in claim 1.

Independent claims 9, 14, 19 and 21 contain limitations similar to those recited in claim 1, and therefore are not disclosed or suggested by the cited references for at least the reasons discussed above in relation to claim 1.


The claims depending from the independent claims are also not disclosed or suggested by the cited references at least in view of their dependencies.

Conclusion

It is therefore respectfully submitted that the present application is in condition for allowance and such action is earnestly solicited. The Commissioner is hereby authorized to charge to Deposit Account No. 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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